

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**C.O.C.P. No.515 of 2006
Date of Decision:- 07.11.2006**

Amar Nath

....Petitioner

through
Mr.R.K.Malik, Advocate.

vs.

Sh.Pardeep Kumar Mehta & anr.

....Respondents
through
Mr.Rajesh Sethi, Advocate.

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

SURYA KANT, J.

In deference to the order dated August 17, 2006, an affidavit of Suresh Kumar Saini, Superintendent in the office of District Consumer Disputes Redressal Forum, Jind has been filed which is taken on record. Along with the said affidavit, a copy of the order dated 30.10.2006 has been annexed as Annexure R-3 vide which decision to release arrears of pay from 26.3.2003 to 11.5.2005 to the petitioner, has been taken.

Shri Malik, learned counsel for the petitioner, however, has expressed an apprehension that since in the above-stated order, it is mentioned that the above-stated payment has been ordered “ subject to the fate of inquiry proceedings”, the actual payment thereof shall not be made to the petitioner.

Learned counsel for the respondents, however, states that the petitioner is entitled to draw the said amount which has already been credited to his account.

In this view of the matter, this petition is disposed of with a clarification that the petitioner is entitled to withdraw the said amount. The

condition in the above-stated order Annexure R-3 is only in the context that this Court vide judgment dated 5.4.2005 has given liberty to the authorities to proceed against the petitioner afresh and in accordance with law.

With these observations/clarifications, these proceedings are dropped.

Rule discharged.

November 07, 2006
poonam

(SURYA KANT)
JUDGE